



EUAA Consultative Forum

1st Plenary Meeting

Background Note for discussions on the working methods

1. Introduction and background

During the Plenary meeting, as part of the afternoon programme, Consultative Forum members will be able to have an initial discussion amongst themselves on the working methods for the Consultative Forum under the EUAA.

According to the EUAA Regulation, **the working methods are to be established by the Consultative Forum itself.**

Article 50(3) stipulates that:

- On a proposal of the Executive Director, the **Management Board** shall decide on the composition of the Consultative Forum, including thematic and/or geographic consultation groups as well as conditions for transmitting information thereto, whereas;
- The **Consultative Forum** shall, after consulting the Management Board and the Executive Director, establish its working methods, including thematic or geographically focused working groups as deemed necessary and useful.

On 23 June 2022, the Management Board has adopted **Management Board Decision No 111** establishing the Consultative Forum and setting out the rules regarding its composition and conditions for transmitting information thereto. In accordance with Article 3 of the MB Decision, a call for expressions of interest for CSOs to join the Consultative Forum under the EUAA was launched and the Forum was reconstituted accordingly.

The MB Decision has established who can be members to the Consultative Forum and how the Agency will exchange information with the Consultative Forum members. What still needs to be established, by the Consultative Forum itself, are the working methods that aim to complement the MB Decision by setting out more specific rules on the way the Consultative Forum will be organised internally and how activities will be implemented in practice.

The Plenary Meeting provides a first opportunity for the Consultative Forum to meet in its revised composition. One of the main aims of the Plenary meeting is to help the Consultative Forum set up its internal structures in order to facilitate its effective functioning. A chairperson ad interim is to be designated at the Plenary Meeting whose main task it will be to coordinate the process for the development of the working methods.

The Plenary meeting provides a first opportunity to exchange ideas on how the new Consultative Forum should work in practice. To this purpose, an external team of facilitators will help guide participatory discussions between the Consultative Forum members, with a view of collecting initial





input on the working methods. The input will be provided to the chairperson ad interim who may then use the input to kickstart the development of the working methods.

This background paper aims to help guide the discussions on the working methods. It provides background information, defines the scope for discussions, and proposes some main elements and key questions to be considered for discussions on the working methods. It remains without prejudice to any further questions or consultations that the Chairperson a.i. may decide to hold once appointed.

The rest of this paper includes:

- A short summary of MB Decision No 111 in order to recall what the MB Decision entails, and which elements should not be duplicated in the working methods (*section 2*)
- An overview of some of the main elements for the working methods including suggested key questions for discussion (*section 3*)
- An overview of proceedings for the discussions on the working methods (*section 4*)

2. What the MB Decision No 111 entails (and hence what should not be duplicated in the working methods)

In brief, the draft MB Decision is divided into three chapters.

The **first chapter** sets out general provisions and those relating to the composition of the Consultative Forum, stipulating which organisations are invited to become member to the Consultative Forum and under what conditions. It describes the process for the selection of CSOs to become a member to the Consultative Forum and includes provisions regarding the withdrawal or revocation of membership. The MB Decision establishes two thematic consultation groups on country of origin information and also includes a provision on confidentiality, which stipulates that the Agency can require member organisations to sign a confidentiality agreement.

A specific provision is also included on the working methods, mainly to recall that it is for the Consultative Forum itself to establish their working methods, after consulting the MB and ED. In order to establish the working methods, the MB Decision stipulates that the Consultative Forum shall at its first meeting designate a chairperson ad interim who will coordinate the process for the development of the working methods. It also defines that the working methods should specify how the Consultative Forum will cooperate with the Fundamental Rights Officer.

The **second chapter** concerns the conditions for transmitting information to the Consultative Forum. In other words, this chapter sets out how and through which modalities information will be exchanged between the Agency and the Consultative Forum. It stipulates that information will be exchanged via:

- CF meetings: including the Plenary once per year supplemented by meetings from the thematic and/or geographically focused consultation groups.
- Consultations: it specifies that the Agency shall consult the CF on all matters where it is required to do so by the Regulation



- Other forms of exchange and communication whereby the Agency shall regularly inform the CF on its ongoing work and the CF is to communicate to the Agency relevant conclusions, recommendations of conferences, seminar, meetings, etc.

This chapter also includes a provision regarding potential conflicts of interests, with the aim of ensuring that potential conflicts of interests are declared in a timely manner so that mitigating measures can be considered on a case-by-case basis depending on the role of the organisation in the Consultative Forum and particular topics under discussion.

The **third chapter** is the **final chapter** including some general provisions on the expenses, monitoring as well as the entry into force of the Decision.

3. The Working Methods: main elements and questions for discussion

The working methods should complement MB Decision No 111 by setting out more specific rules on the way the Consultative Forum will be organised internally and how it will work in practice.

The working methods may address different elements, including for example:

- Objectives for the Consultative Forum
- General principles of working
- Governance/organisational aspects
- Consultative Forum activities
- Communication channels and tools
- Cooperation with the Fundamental Rights Officer
- Working methods for the thematic consultation groups on country of origin information and vulnerable groups

Given the many different elements, it will not be possible to discuss all relevant elements and key questions within the time-frame of two hours during the Plenary Meeting. It is therefore proposed that discussions focus on selected key elements and questions which would seem crucial for kick-starting the CF’s work, in a way that would ensure and reflect its independence.

Table 1: Key elements and questions for discussions on the working methods

Element	Explanation	Key questions
Governance	Under the EUAA Regulation, the Agency’s Executive Director no longer chairs the Consultative Forum. The Consultative Forum has become part of the Agency’s administrative and management structure, though carries out its activities independently thereof. The Forum itself will therefore need to steer its own strategic direction, plan and implement the Consultative Forum activities accordingly. Chairmanship from within the CF members is therefore required. The MB	How should the CF best be governed? By: <ul style="list-style-type: none"> - a Chair - A chair supported by a co-chair - A chair/co-chair further supported by an Advisory Group?



	<p>Decision does not enter into any details concerning CF chairmanship, other than mentioning that a Chairperson ad interim would be designated at the Plenary Meeting to coordinate the process for the development of the working methods. The specific rules for the actual CF Chairmanship therefore still need to be decided upon by the CF members. CF members are therefore invited to reflect on the specific rules for Chairmanship as part of the discussions on the working methods.</p>	<p>How should the chair/co-chair and/or Advisory Group be elected and for how long?</p> <p>What would be the main tasks of the chair/co-chair/Advisory Group?</p>
<p>Planning and implementation of CF activities including decision-making</p>	<p>The MB Decision stipulates that information between the Agency and the Consultative Forum will be exchanged via:</p> <ul style="list-style-type: none"> - Meetings (Plenary and thematic consultation group meetings) - Electronic consultations <p>The MB Decision also stipulates that the Agency is to update the Consultative Forum about its work and the Consultative Forum is encouraged to communicate relevant findings/recommendations to the Agency.</p> <p>As such, the main CF activities (involving participation by the Agency) are already defined in the MB Decision.</p> <p>Nevertheless, the working methods provide an opportunity to define more specifically how these activities are foreseen to be organised/implemented in practice.</p> <p>Moreover, apart from the CF activities already defined in the MB Decision involving the Agency, there might also be other internal activities (initiated and developed by the Consultative Forum without involvement of the Agency) that the CF would want to pursue in order to reach the objectives defined?</p>	<p>How will the CF activities be planned and implemented in practice?</p> <p>How will the CF decide on its annual work plan and thematic priorities?</p> <p>Who decides when to convene CF meetings and how is the Agenda developed/decided upon?</p> <p>How will the CF provide input to electronic consultations launched by the Agency? For example, will all CF members send in their individual contribution to the Agency or will the Chair combine all input from members and send to the Agency one overall contribution on behalf of the CF?</p> <p>In case the CF wants to issue opinions/recommendations to the Agency, who takes the lead on developing these and what is the process followed for input/consent by CF members?</p>
<p>Communication channels and tools</p>	<p>The MB Decision stipulates that the Agency is to update the Consultative Forum about its work and the Consultative Forum is encouraged to communicate relevant findings/recommendations to the Agency.</p>	<p>How/in what format would the CF members prefer to receive updates on the Agency's activities (written updates or</p>



		<p>updates provided as part of meetings)?</p> <p>How can the CF ensure that relevant findings/recommendations are transmitted to the Agency? Will CF members share any relevant findings per mail to the CF Secretariat?</p>
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4. Overview of proceedings for the discussions

The afternoon session provides a first opportunity to collect ideas and inputs from all of the Consultative Forum members about how they would like to work together. The process for the afternoon programme aims at enabling individual ideas to be shared and collective proposals and reflections to emerge. This activity will help indicate a direction that the Chairperson ad interim and the CF as a whole can take together to achieve their mission. The proposals will provide guidance for how to move forward on the working methods – grounded in the advice, experience and interests of the whole group.

The participatory discussions will take place in several rounds, as follows:

Round 1: [25 min]

- For this round, questions will be posted on the walls. Participants will be asked to circulate, reflect and provide **individual input** to the questions.
- The questions are based on the questions as included in the table in section 3 and are clustered around three main themes: 1) chairmanship; 2) planning, implementation of CF activities and decisions-making, and 3) communication channels and tools.

Round 2: [70 min]

- During round 2, participants will **discuss** the main questions **in small groups** and will work out a concrete proposal for the working of the CF on the basis of the those questions. They can also list any open/further questions they have.
- A template will be provided to summarise the groups' proposals.

Round 3: [30 min]

- During round 3, participants will bring their proposals and hang these up on the walls next to the questions. All participants will have the possibility to **comment, question or further refine the proposals**.

Round 4: [25 min]

- During round 4, the groups will be invited to **report back** in plenary and to pitch their final proposal